IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

| JACK DOE, |) | |
|--|---|--------------------|
| Plaintiff, |) | |
| v. |) | Case No. 7:18cv492 |
| VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY, et al., |) | |
| Defendants. |) | |

DEFENDANTS' MOTION TO DISMISS PURSUANT TO RULE 12(b)(6)

Defendants Virginia Polytechnic Institute and State University, Timothy Sands, Frank Shushok, Jr., Angela D. Simmons, Katie Reardon Polidoro, Rohsaan Settle, Katie Bylenga, and Caroline Green (collectively "Defendants"), by counsel, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, move this Court for entry of an Order dismissing the claims against Defendants in the Second Amended Complaint for the reasons set forth in the accompanying Memorandum of Law.

Respectfully submitted,

VIRGINIA POLYTECHNIC INSTITUTE AND STATE UNIVERSITY, TIMOTHY SANDS, FRANK SHUSHOK, JR., ANGELA D. SIMMONS, KATIE REARDON POLIDORO, ROHSAAN SETTLE, KATIE BYLENGA, AND CAROLINE GREEN

| By: | /s/ | | |
|-----|-----|------------------------|--|
| , | , , | Counsel for Defendants | |



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CERTIFICATE OF SERVICE

I hereby certify that on October 10, 2019, electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all counsel of record.

/s/ Nathan H. Schnetzler
Of Counsel

